

## DECLARATION FOR PATENT APPLICATION

As an undersigned inventor, I hereby declare that:

My residence, post office address and country of citizenship are as stated directly below my name.

I believe (check one) ☐ I am the original, first and sole inventor  
☒ I am a joint inventor and the below named inventors are the  
original and first inventors

of the subject matter which is claimed and for which a patent is sought on the invention entitled

### **METHODS AND APPARATUS FOR VARYING PIPELINE FREQUENCY BY INSTRUCTION TYPE**

the specification of which

(check one) ☒ is attached hereto.  
☐ was filed on ,  
☐ as Application Serial No. ,  
☐ and was amended on \_\_\_\_\_(if applicable)

I further declare that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office (hereinafter "the Office") all information known to me to be material to patentability of the subject matter which is claimed as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate indicated below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<b>Prior Foreign Application(s)</b>			
<b>Number</b>	<b>Country</b>	<b>Day/Month/Year Filed</b>	<b>Priority Claimed</b>

I hereby claim the benefit under 35 U.S. C. §119(e) of any United States provisional application listed below:

**Provisional Application Serial No.****Filing Date**

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**Application Serial No.****Filing Date****Status (patented, pending, abandoned)**

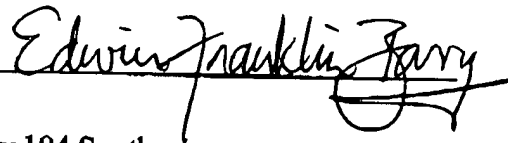
Address all correspondence and telephone calls to the following:

PRIEST & GOLDSTEIN, PLLC  
 5015 Southpark Drive, Suite 230  
 Durham, NC 27713-7736  
 (919) 806-1600  
 (919) 806-1690 (fax)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and may jeopardize the validity of the application or any patent issued thereon.

Full name of original, first joint) inventor: Edwin Franklin Barry

Inventor's Signature



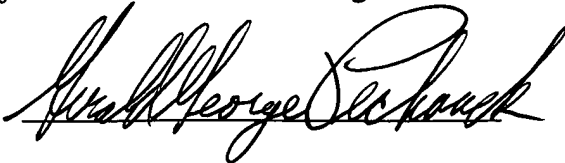
3/16/04  
 Date

Residence: 2154 Hwy 194 South  
 Vilas, NC 28692  
 US

Citizenship: US

Post Office Address: Same as above

Full name of second joint inventor: Gerald George Pechanek

Inventor's Signature  3/16/04  
Date

Residence: 107 Stoneleigh Drive  
Cary, NC 27511

US

Citizenship: US

Post Office Address: Same as above

(Signature): Patrick R. Marchand

Date: 8/4/04

Patrick R. Marchand

800.0118  
A1560

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Barry et al.

Serial No.: Not Yet Assigned

Filed: Concurrently Herewith

For: METHODS AND APPARATUS FOR VARYING PIPELINE FREQUENCY BY  
INSTRUCTION TYPE

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Durham, North Carolina  
March 17, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. §3.73(b),  
ELECTION UNDER 37 C.F.R. §3.71, and  
POWER OF ATTORNEY

Sir:

This document provides a Statement under §3.73 by the Assignee, an Election by the Assignee under §3.71 to prosecute at the exclusion of the inventor(s), and a Power of Attorney from the Assignee.

Statement Under §3.73(b)

The undersigned states that it is the Assignee of the entire right, title and interest in the Patent application identified above by virtue of either:

- A. ☐ An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel/Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_.  
The document was recorded in the United States Patent and Trademark Office at Reel/Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_.  
The document was recorded in the United States Patent and Trademark Office at Reel/Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_.  
The document was recorded in the United States Patent and Trademark Office at Reel/Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (*i.e.*, the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Election under §3.71

The Assignee hereby elects under 37 C.F.R. §3.71 to prosecute the application to the exclusion of the inventor(s).

Power of Attorney

The Assignee revokes any previous Powers of Attorney and appoints Peter H. Priest, Reg. No. 30,210, Jay M. Brown, Reg. No. 30,033, and Joseph B. Agusta, Reg. No. 52,547, each an attorney of the firm of PRIEST & GOLDSTEIN, PLLC, as its attorney for so long as they remain

with such firm, and Derek E. Minihane, Reg. No. 39,774, Archana Ojha, Reg. No. 53,408, and Henry Ohab, Reg. No. 45,854, of PTS Corporation, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

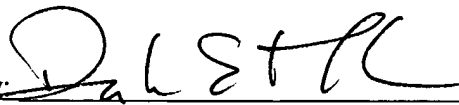
Future Communications

Please direct all communications as follows:

PRIEST & GOLDSTEIN, PLLC  
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ASSIGNEE:

PTS CORPORATION

By:   
(Signature)

Name: Derek E. Minihane

Date: 3/17/04

Title: Director of Patents